



Security Council

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Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 15 May 2007 from the Permanent Mission of Austria to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Austria to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006), and has the honour to transmit its report, pursuant to paragraph 8 of resolution 1747 (2007), on the steps taken by the Government of Austria with a view to implementing the relevant provisions of the above-mentioned resolution (see annex).

Annex to the note verbale dated 15 May 2007 from the Permanent Mission of Austria to the United Nations addressed to the Chairman of the Committee

Security Council resolution 1747 (2006)

Implementation by Austria

As a member State of the European Union (EU), Austria implements the restrictive measures against the Islamic Republic of Iran imposed by Security Council resolution 1747 (2007) by taking the following measures:

First, through the following legal acts of the EU and/or the European Community (EC):

- Council Common Position 2007/246/CFSP of 23 April 2007 amending Common Position 2007/140/CFSP of 27 February 2007 concerning restrictive measures against the Islamic Republic of Iran.
- Council Regulation (EC) No. 423/2007 of 19 April 2007 concerning restrictive measures against the Islamic Republic of Iran.
- Commission Regulation (EC) No. 441/2007 of 20 April 2007 amending Council Regulation (EC) No. 423/2007 of 19 April 2007 concerning restrictive measures against the Islamic Republic of Iran by replacing the text in annex IV to Regulation (EC) No. 423/2007.
- A Council Regulation further amending Council Regulation (EC) No. 423/2007 concerning restrictive measures against the Islamic Republic of Iran, to be adopted without delay.
- Council Regulation (EC) No. 1334/2000 of 22 June 2000 setting up a Community regime for the control of exports of dual-use items and technology.

Secondly, the competent Austrian authorities apply the following Austrian legislation in implementing the restrictive measures against the Islamic Republic of Iran imposed by Security Council resolution 1747 (2007):

- With regard to the obligation contained in paragraph 2 of Security Council resolution 1747 (2007), the Aliens Police Act (Federal Law Gazette I No. 157/2005 as amended) and the Law on Residence (Federal Law Gazette I No. 100/2005 as amended) empower the competent Austrian authorities to impose the appropriate travel or entry restrictions as well as to notify the Committee in accordance with this paragraph.
- With regard to the obligation contained in paragraph 4 of Security Council resolution 1747 (2007), the Austrian Exchange Control Act (Federal Law Gazette I No. 123/2003) stipulates that non-compliance with regulations of the European Community or relevant Austrian Federal Government regulations concerning the freezing of funds is a criminal offence punishable with up to one year of imprisonment.
- With regard to the obligations contained in paragraphs 5 and 6 of Security Council resolution 1747 (2007), the legal basis for their implementation is a

national authorization procedure established by the above-mentioned Council Regulations, the Foreign Trade Act (FTA, Federal Law Gazette I No. 50/2005 as amended), the Foreign Trade Regulation (FTAR, Federal Law Gazette II No. 121/2006), and the War Material Act (WMA, Federal Law Gazette I No. 540/1977 as amended). Non-compliance with the FTA or the WMA constitutes a criminal offence punishable with up to five years of imprisonment or payment of a fine of up to 360 daily rates.

- With regard to the obligations contained in paragraph 7 of Security Council resolution 1747 (2007), the Austrian cover policy and the agreements between the competent Austrian authorities and Austria's official export credit agency were amended in order to ensure that no grants, financial assistance or concessional loans, except for humanitarian and developmental purposes, are conceded to the Government of the Islamic Republic of Iran.